

Amendment No. 2 to SB0297

Johnson

Signature of Sponsor

AMEND Senate Bill No. 297*

House Bill No. 666

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-6-124, is amended by adding the following new subsection:

(j)

(1) Except as otherwise provided in subdivision (j)(2), the system of utilization review established by the administrator or provided by an employer shall not apply to:

(A) Diagnostic procedures ordered in accordance with the treatment guidelines by the authorized treating physician or chiropractor in the first thirty (30) days after the date of injury; or

(B) Diagnostic studies recommended by the treating physician in the event the initial treatment regimen is nonsurgical, without diagnostic testing, and is not successful in returning the injured worker to employment.

(2) A recommended invasive procedure shall be subject to utilization review at any time.

(3) For purposes of this subsection (j):

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(A) "Diagnostic procedures" includes, but is not limited to, routine and specialty radiography, magnetic resonance imaging that is not for low back pain without radiculopathy, a computerized tomography scan, a myelogram, an arthrogram, an ultrasound, and electromyogram and nerve conduction velocity testing; and

(B) "Initial treatment" means the first series of treatments or therapies or first two (2) medication trials ordered by the authorized treating physician in accordance with the adopted treatment guidelines within sixty (60) days of a reported injury.

SECTION 2. Tennessee Code Annotated, Section 50-6-204, is amended by deleting subdivision (a)(3)(B) and substituting instead the following:

(B) If three (3) or more independent reputable physicians, surgeons, chiropractors, or specialty practice groups not associated in practice together are not available in the employee's community, the employer shall provide a list of three (3) independent reputable physicians, surgeons, chiropractors, or specialty practice groups that are within a one-hundred-twenty-five-mile radius of the employee's community of residence. Two (2) of the list of three (3) independent reputable physicians, surgeons, chiropractors, or specialty practice groups must not be associated in practice together.

SECTION 3. Tennessee Code Annotated, Section 50-6-204, is amended by deleting the language "not exceeding seven thousand five hundred dollars (\$7,500)" from subsection (c) and substituting instead the language "not exceeding ten thousand dollars (\$10,000)".

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to injuries occurring on or after the effective date of this act.